



CITY OF DURHAM | NORTH CAROLINA

Date: September 27, 2013

To: Thomas J. Bonfield, City Manager

Through: W. Bowman Ferguson, Deputy City Manager

From: Marvin Williams, Director of Public Works
Robert N. Joyner, Development Review Group Manager

Subject: Agenda Item – Utility Extension Agreement with Helen M. Ellison to serve 7227 Fayetteville Road

Executive Summary

Ms. Helen M. Ellison is requesting a service connection to the City's sanitary sewer system to serve 7227 Fayetteville Road, a single-family residence located outside the City limits. Durham County's Environmental Health Division has verified that the property has an existing health hazard from the on-site sanitary sewer system.

Recommendation

The Department of Public Works recommends that the City Council authorize the City Manager to enter into a Sanitary sewer extension agreement with Ms. Helen M. Ellison.

Background

Ms. Helen M. Ellison is requesting a service connection to the City's sanitary sewer system to serve 7227 Fayetteville Road, a 0.9-acre single-family lot with an existing residence (see attached map). The property has a failed septic system.

Sewer service to the house shall be provided by connecting to the existing 18-inch sanitary sewer in Massey Chapel Road.

Issues/Analysis

Durham County's Environmental Health Division has requested the owner to abandon the existing septic system and connect to municipal sewer (see exhibit). The applicant is eligible for an exception to the annexation requirement based on Section 70-129 of the City of Durham Code of Ordinances:

City council may approve or disapprove water mains, sewer mains, water service connections, sewer service connections, or both, ("utility service") in its discretion to property outside the city limits petitioning for such service upon the conditions established by this section. Utility service shall be provided pursuant to utility extension agreements approved by city council, which shall be brought to the city council on such schedule as is determined appropriate by the city manager. Utility extension agreements shall include those terms and conditions that the city council

determines, in its discretion, to be in the interests of the city, and that address potential impacts of the proposed development on the city and/or its citizens. Such terms and conditions may address, in addition to the water and/or sewer service requested, other utilities, and associated regulations within the city, such as stormwater. The city water distribution system and sewage collection system shall not be extended beyond the limits of the city or without voluntary annexation into the city except:

(6) To properties with verified water supplies of unsatisfactory quality or a verified existing health hazard from an on-site sanitary sewer system approved by the city council pursuant to subsection a. of this section;

a. Any extension of the water distribution system and sewage collection system to serve properties with verified water supplies of unsatisfactory quality or a verified, existing health hazard from an on-site sanitary sewer system shall be made only after approval of such extension by the city council. Any such extension shall be made in accordance with the following conditions:

- 1. The city shall bear no part of the construction cost of extensions beyond the city limits to serve a school or industry. No refund policy shall apply to such lines. The city may participate in the construction cost of any extension to serve properties with verified water supplies of unsatisfactory quantity or quality or a verified, existing health hazard from an on-site sanitary sewer system, provided such extension is made as a result of receiving a sufficiently signed petition under the provisions of Article 7, Section 77, paragraph (7) of the City Charter. The question of city participation shall be decided by the city council for each individual project, but in no case shall assessments be less than the standard rate for extensions outside the city;*
- 2. Construction of authorized extensions to approved properties with verified water supplies of unsatisfactory quality or a verified, existing health hazard from an on-site sanitary sewer system, shall be in accordance with all applicable policies, standards and specifications of the city.*

There is an existing 18-inch sanitary sewer line in Massey Chapel Road that has sufficient capacity to serve the existing single-family residence.

Alternatives

City Council can choose not to approve the request.

Financial Impact

The Owner shall bear all the cost for the construction of the water service connection and there shall be no participation in the cost by the City.

SDBE Summary

The SDBE Summary is not applicable for this item.